HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI
AND
HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No. 17202 of 2007

Between:

C. Farooq Ahmed

... Petitioner

And

Kothagudem Municipality,
Rep. by its Commissioner, Kothagudem & another

... Respondents

:: O R D E R ::

Counsel for the petitioner : Shri K.S.R. Murthy

August 13, 2007

Per G.S. Singhvi, CJ

In this petition, the petitioner has made the following substantive prayer:

> " Hence, I humbly pray that this Hon'ble Court may be pleased to issue a writ, order or direction, particularly a writ in the nature of mandamus, declaring the action of the 1st respondent herein in not taking action against the illegal construction of the 2nd respondent herein is illegal, arbitrary and unconstitutional and consequently direct the 1st respondent herein to take immediate action by closing the illegal construction of the cellar portion in house NO. 6-1-64, Cosmo Hotel Complex, M.G. Road, Kothagudem and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

After arguing the case for some time, Shri K.S.R. Murthy made a request that he may be permitted to withdraw the writ petition with

liberty to file fresh one.

The request of the learned counsel is accepted and the writ petition is dismissed as withdrawn with liberty in terms of the prayer made.

As a sequel to dismissal of the writ petition as withdrawn, W.P.M.P.No.22010 of 2007 filed by the petitioner for interim relief is also dismissed.

G.S. SINGHVI, CJ

August 13, 2007

C.V. NAGARJUNA REDDY, J

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